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September 25, 2006

*from* **HOLLY D. KOZLOWSKI**

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**To:** Commissioner for Patents

**Fax Number:** 571-273-8300

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**Pages:** 4  
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**Comments:**

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PATENT

Docket No. 31645-11

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*Bernard Rose*

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Birger Hjertman : Paper No.:  
Serial No.: 10/613,286 : Group Art Unit: 3767  
Filing Date: July 3, 2003 : Examiner: Prasad, Sonal

For: **Jet Injector and Method for Its Operation and Production**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

- ☐ Additional fee is required.  
☒ Also attached: Return Postcard  
The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUS PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	30	30	0	x \$50 =	\$0
Independent Claims	4	4	0	x \$200 =	\$0
<b>TOTAL FEE DUE</b>					<b>\$0</b>

- ☐ Please charge \$00.00 to our Visa Credit Card Account. Form PTO-2038 is attached.
- ☒ The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 04-1133, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

By: *Holly D. Kozlowski*  
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Serial No.: 10/613,286 : Group Art Unit: 3767  
Filing Date: July 3, 2003 : Examiner: Prasad, Sonal

For: Jet Injector and Method for Its Operation and Production

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In the Official Action dated August 23, 2006, the Examiner required restriction under 35 U.S.C. §121 between claims 26-50 and 55, drawn to a jet injector and method for forming a thin jet stream of a liquid medical drug, and claims 51-54, drawn to a method of making a jet injector. The Examiner asserted that restriction for examination purposes is proper since the jet injector can be made utilizing steps of bonding and adhering, rather than those claimed.

Applicants elect claims 26-50 and 55, with traverse. This restriction requirement is traversed as an Official Action on the merits, considering all claims, including claims 23 and 24 directed to a method for producing a jet injector, was previously issued in this application on February 23, 2006. Furthermore, the previous Official Action had indicated that claims 23 and 24, together with claim 25 directed to a method for forming a thin jet stream, were allowed. In view of the previous prosecution in this application, Applicants submit that the current restriction requirement is untimely and improper and that claims 51 and 53,

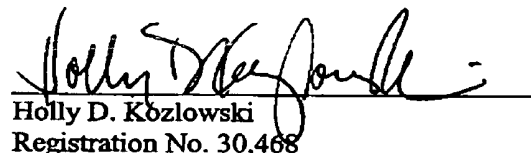
Application Serial No. 10/613,286  
Response to Restriction Requirement dated September 25, 2006  
Reply to Official Action dated August 23, 2006

containing limitations from original claims 23 and 24, together with claims 52 and 54 which depend from claims 51 and 53, respectively, are in prima facie condition for allowance.

Accordingly, the restriction requirement under 35 U.S.C. §121 should be withdrawn, and all of claims 26-55 should be subject to prosecution in the present application. Reconsideration is respectfully requested.

Respectfully submitted,

By:



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